



03475-P0001A WWW/TMO/SBS

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	Hans Poisel
Serial No. 09/194,049	Filing Date: November 23, 1998
Title of Application:	Device For Receiving Optical Signals By Means Of A Light-Guiding Object
Group Art Unit:	3662
Examiner	Nelson Moskowitz

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Petition to Withdraw Holding of Abandonment

Dear Sir:

On October 2, 2003, a Notice of Abandonment was mailed in the above-captioned matter (copy attached as Exhibit A hereto) due to "Applicant's failure to timely file a proper reply to the Office letter mailed on 31 March 2003". However, the Office letter mailed on March 31, 2003 was apparently incorrectly addressed to the inventor and as such was never received by Applicant's duly appointed Attorneys.

Applicant, through its duly appointed Attorneys, hereby petitions the Commissioner to withdraw this holding of abandonment on grounds that the Office letter mailed on March 31, 2003 was, due to a mistake on the part of the U.S. Patent Office, misdirected. Applicant further requests that the Office letter mailed on March 31, 2003 be re-mailed to the correct address and that the time period for reply thereto be re-set.

Mailing Certificate: I hereby certify that this correspondence is today being deposited with the U.S. Postal Service as *First Class Mail* in an envelope addressed to: Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450.

January 6, 2004

Linda A. Ferranti

RECEIVED
JAN 16 2004
GROUP 3600

Petition to Withdraw Holding of Abandonment

Serial No. 09/194,049

Page 2

The present application was filed on November 23, 1998. The undersigned attorneys took over responsibility for prosecution of the case, and on July 27, 2001 a Revocation and New Power of Attorney was filed (copy thereof and of postcard acknowledging receipt thereof attached as Exhibit B hereto). However, this Revocation and New Power of Attorney was not entered because it was signed by the assignee of the application and did not include evidence establishing chain of title (copy of Notice attached as Exhibit C hereto). In light of this refusal of entry, a second Revocation and New Power of Attorney, this one including the requisite evidence establishing chain of title of the assignee, was filed on March 22, 2002 (copy thereof and of postcard acknowledging receipt thereof attached as Exhibit D hereto).

While the above was transpiring, and unbeknownst to Applicant's attorneys, Applicant's previous attorneys had filed a Request for Withdrawal (which was granted), and an Office Action had been mailed directly to the inventor on March 9, 2001. No response was filed thereto and the application unintentionally went abandoned. On January 21, 2003, the undersigned filed a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b). This Petition was granted in a Decision mailed March 12, 2003 (copy thereof attached as Exhibit E hereto).

In the Decision mailed March 12, 2003, the undersigned noted the following statements: "There is no indication that the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application.... However, if Wesley W. Whitmyer Jr. desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted." However, knowing these statements to be incorrect (because an appropriate Revocation and New Power of Attorney had in fact been filed on March 22, 2002 -- see above), the undersigned telephoned the Examiner responsible for the present application, Examiner Moskowitz, on March 27, 2003, immediately upon reviewing the Decision mailed on March 12, 2003. Examiner Moscowitz informed the undersigned that the Revocation and New Power of Attorney

Petition to Withdraw Holding of Abandonment

Serial No. 09/194,049

Page 3

filed on March 22, 2002 had not been properly entered. He also instructed the undersigned that this problem would be remedied if the undersigned would send by facsimile a copy of the Revocation and New Power of Attorney filed on March 22, 2002 as well as the postcard acknowledging receipt thereof to a Ms. Ross at facsimile number (703) 305-7658. The undersigned immediately did so on March 27, 2003 (see cover letter, facsimile transmission report indicating a successful transmission, Revocation and New Power of Attorney and postcard attached as Exhibit F hereto).

However, despite the undersigned's telephone call and facsimile, it appears that the Revocation and New Power of Attorney filed on March 22, 2002 still was not entered, and that an Office Action was mistakenly mailed directly to the inventor on March 31, 2003 (as indicated in the Notice of Abandonment).

In light of Revocation and New Power of Attorney, if any fee is due, please charge to Deposit Account No. 19-4516.

Respectfully submitted,



Wesley W. Whitmyer, Jr., Registration No. 33,558
Todd M. Oberdick, Registration No. 44,268
Attorneys for Applicants
ST.ONGE STEWARD JOHNSTON & REENS LLC
986 Bedford Street
Stamford, CT 06905-5619
203 324-6155

Exhibit A



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/194,049	05/06/1999	HANS POISEL	1384.1006/JD	2739

7590 10/02/2003

Hans Poisel
Puhlhof 14
D-91227
Leinburg,
GERMANY

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JAN 16 2004
GROUP 3600

EXAMINER

MOSKOWITZ, NELSON

ART UNIT

PAPER NUMBER

3663

DATE MAILED: 10/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



RECEIVED
JAN 16 2004

GROUP 3600

Application No.	Applicant(s)
09/194,049	POISEL, HANS
Examiner	Unit
Nelson Moskowitz	3663

Notice of Abandonment

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 31 March 2003.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. The reason(s) below:

NELSON MOSKOWITZ
PRIMARY EXAMINER

Nelson Moskowitz
Primary Examiner
Art Unit: 3663

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Exhibit B



RECEIVED
JAN 16 2004
GROUP 3600

Case No. 03475-P0001A WWW/JBW/jmc

Applicant: Hans Poisel

SN: 09/194,049

Filed 1998/11/23

Group 3662

For: Device For Receiving Optical Signals By Means Of A Light-Guiding Object

Receipt is hereby acknowledged of Revocation and New Power of Attorney

Mailed July 27, 2001

Assistant Commissioner
for Patents

Case No. 03475-P0001A WWW/JBW/jmc

Applicant: Hans Poisel

SN: 09/194,049

Filed 1998/11/23

Group 3662

For: Device For Receiving Optical Signals By Means Of A Light-Guiding Object

Receipt is hereby acknowledged of Revocation and New Power of Attorney

Mailed July 27, 2001

Assistant Commissioner
for Patents





PATENT
03475-P0001A WWW/JBW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	Hans Poisel
Serial No. 09/194,049	Filing Date: November 23, 1998
Title of Application:	Device For Receiving Optical Signals By Means Of A Light-Guiding Object

Assistant Commissioner for Patents
Washington, DC 20231

Revocation and New Power Of Attorney

Dear Sir:

Applicant, Schleifring Und Apparatebau GmbH, a corporation of Germany, having its principal place of business at Am Hardtanger 10; D-82256 Furstenfeld*, Germany hereby revoke all previous powers of attorney and appoints the following attorneys to prosecute this patent and transact all business in the United States Patent and Trademark Office connected therewith, receive all communications from the United States Patent and Trademark Office, to receive the Letters Patent, and be its agent for service of process in connection herewith:

Wesley W. Whitmyer, Jr., Registration No. 33,558

J. Bradley Wright, Registration No. 47,188

Attorneys for Applicant

ST.ONGE STEWARD JOHNSTON & REENS LLC

986 Bedford Street

Stamford, CT 06905-5619

203 324-6155

Schleifring Und Apparatebau GmbH is the assignee of record of the patent application identified above. A copy of the assignment is enclosed.

Schleifring Und Apparatebau GmbH

13.06.2001

Date

By

Name

Title

Kurt Dollhop
Kurt Dollhop
Managing Director

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JAN 16 2004
GROUP 3600

~~Exhibit C~~



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FLING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
---------------	------------	-----------------------	---------------------

09/194,049 05/06/99 POISEL

H EXAMINER 1006/JD

PM51/0806

ART UNIT 1006/JD PAPER NUMBER

HANS POISEL
PUMlhof 14
D-91227
LEINBURG

FED REP GERMANY

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

AIR MAIL

3662
DATE MAILED: 05/06/01

Responsive to the proposed communication re power of attorney filed

07/30/01

The above communication, signed by Kurt Dollhofer, has not been entered for the following reason.

Effective September 4, 1992, 37 CFR 3.73(b) requires the Assignee of the entire right, title and interest to establish ownership by submitting to the Office documentary evidence of a chain of title from the original owner to the assignee or by specifying (e.g. reel and frame number, etc.) where such documentary evidence is recorded. In addition, the assignee of the patent application or patent must submit a statement specifying the evidentiary documents have been reviewed and certifying that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take the action. See Federal Register on July 6, 1992 (Vol. 57, No. 129, 29634-29648), and in the Office Gazette on July 28, 1992.

Shanda Ross
Shanda Ross
Deputy SAE, Group 2200

EINGEGANGEN

30. Aug. 2001

Anwältekanzlei
Dr. MÜNICH & KOLLEGEN

RECEIVED
JAN 16 2004
GROUP 3600

Exhibit D



Case No. 03475-P0001A WWW/TMO/laf

Applicant: Hans Poisel

SN: 09/194,049

Filed 1998/11/23

Group 3662

For: Device For Receiving Optical Signals By Means Of A Light-Guiding Object

Receipt is hereby acknowledged of Revocation and New Power of Attorney

Mailed March 22, 2002

Assistant Commissioner
for Patents

RECEIVED
JAN 16 2004
GROUP 3600

Case No. 03475-P0001A WWW/TMO/laf

Applicant: Hans Poisel

SN: 09/194,049

Filed 1998/11/23

Group 3662

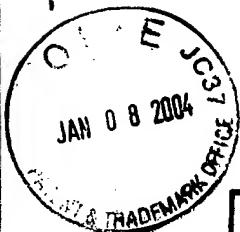
For: Device For Receiving Optical Signals By Means Of A Light-Guiding Object

Receipt is hereby acknowledged of Revocation and New Power of Attorney

Mailed March 22, 2002

Assistant Commissioner
for Patents





PATENT
03475-P0001A WWW/TMO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	Hans Poisel
Serial No. 09/194,049	Filing Date: November 23, 1998
Title of Application:	Device For Receiving Optical Signals By Means Of A Light-Guiding Object

Assistant Commissioner for Patents
Washington, DC 20231

Revocation and New Power Of Attorney

Dear Sir:

Applicant, Schleifring Und Apparatebau GmbH, a corporation of Germany, having its principal place of business at Am Hardtanger 10; D-82256 Furstenfeldbruck, Germany hereby revoke all previous powers of attorney and appoints the following attorneys to prosecute this patent and transact all business in the United States Patent and Trademark Office connected therewith, receive all communications from the United States Patent and Trademark Office, to receive the Letters Patent, and be its agent for service of process in connection herewith:

Wesley W. Whitmyer, Jr., Registration No. 33,558

Todd M. Oberdick, Registration No. 44,268

Attorneys for Applicant

ST.ONGE STEWARD JOHNSTON & REENS LLC

986 Bedford Street
Stamford, CT 06905-5619
203 324-6155

Schleifring Und Apparatebau GmbH is the assignee of record of the patent application identified above by virtue of an Assignment recorded at Reel 12403, Frame 0175. To the best of my knowledge, title remains in the assignee, Schleifring Und Apparatebau GmbH.

Schleifring Und Apparatebau GmbH

13. November 2001
Date

By

Kurt Dollhofer

Name

Kurt Dollhofer

Title

Managing Director

FAX gesendet am

15. Nov. 2001

~~Exhibit~~ Exhibit D

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov



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St. George Stewart Johnston & Reens

WJ SPS

MAR 17 2003

FILE 3475 - PIA
DKT noted in Ann

Paper No. 20

Hans Poisel
Puhlhof 14
D-91227
Leinburg, Germany

In re Application of
Hans Poisel
Application No. 09/194,049
Filed: May 6, 1999
Attorney Docket No. 1384.1006/JD

COPY MAILED

MAR 12 2003

OFFICE OF PETITIONS

ON PETITION



This is a decision on the petition under 37 CFR 1.137(b), filed January 21, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner in reply to the final Office action mailed March 9, 2001. No extensions of time under the provisions of 37 CFR 1.136 have been obtained. Accordingly, the above-identified application became abandoned on June 10, 2001.

There is no indication that the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. However, in accordance with 37 CFR 1.34(a), the signature of Wesley W. Whitmyer, Jr. appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party in whose behalf he acts. However, if Wesley W. Whitmyer Jr. desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. A courtesy copy of this decision is being mailed to petitioner. Nevertheless, all future correspondence regarding this application file will be directed solely to the address of record until otherwise instructed.

The above-identified application is being revived solely for purposes of continuity with a continued prosecution application (CPA) filed on January 21, 2003.

Telephone inquiries concerning this decision should be directed to Latrice Bond at (703) 308-6911.

The application file is being forwarded to Technology Center AU 3662 for further processing.

Latrice Bond

Latrice Bond
Paralegal Specialist
Office of Petitions
Office of the Deputy Commissioner
For Patent Examination Policy

cc: Todd M. Oberdick
ST. Onge Steward Johnston & Reens
986 Bedford Street
Stamford, CT 06905-5619

Felixbit F

MODE = MEMORY TRANSMISSION

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-ST ONGE

- * * * * - 2033271096- * * * * *

St. Onge Steward Johnston & Reens LLC



986 Bedford Street
Stamford Connecticut 06905-5619
(203) 324 6155 ☎
(203) 327 1096 ☎
sbs@ssjr.com ☰
www.ssjr.com

March 27, 2003

SSJR File: 3475-P0001A
Pages: 4

Applicant	Hans Poisel
Serial No. 09/194,049	Filing Date: November 23, 1998
Title of Application:	Device For Receiving Optical Signals By Means Of A Light-Guiding Object
Group Art Unit:	3662

Deliver To: Ms. Ross

Fax No: (703) 305-7658

From: Todd M. Oberdick, Registration No. 44,268

Dear Ms. Ross:

I spoke with Examiner Moskowitz who gave me your number to fax this information to you.

In a letter dated March 12, 2003, attached hereto, it was noted that a power of attorney had not been received in this case. We had previously sent a Revocation and New Power of Attorney to the PTO, copy also attached, and I have additionally attached a copy of the stamped postcard received from the PTO. Please let me know if this is sufficient. Thank you for your attention to this matter.

Enclosures

St. Onge Steward Johnston & Reens LLC



986 Bedford Street
Stamford Connecticut 06905-5619
(203) 324 6155
(203) 327 1096
sbs@ssjr.com
www.ssjr.com

March 27, 2003

SSJR File: 3475-P0001A
Pages: 4

Applicant	Hans Poisel
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Enclosures

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

RECEIVED

St. Onge & Stewart Johnston & Reems

(W)
SBS

MAR 17 2003

FILE 3475 - PIA
DKT NOTed in Ann

Paper No. 20

Hans Poisel
Puhlhof 14
D-91227
Leinburg, Germany

(a)

COPY MAILED

MAR 12 2003

OFFICE OF PETITIONS

ON PETITION

In re Application of
Hans Poisel
Application No. 09/194,049
Filed: May 6, 1999
Attorney Docket No. 1384.1006/JD

This is a decision on the petition under 37 CFR 1.137(b), filed January 21, 2003, to revive the above-identified application.

The petition is **GRANTED**.

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Case No. 03475-P0001A

Applicant: Hans Poisel

SN: 09/194,049

Filed 1998/11/23

Group 3662

For: Device For Receiving Optical Signals By Means Of A Light-Guiding Object

Receipt is hereby acknowledged of Revocation

Mailed March 22, 2002

Assistant Commissioner
for Patents

Case No. 03475-P0001A WWW/TMO/laf

Applicant: Hans Poisel

SN: 09/194,049

Filed 1998/11/23

O I P E J C 11/03

MAR 29 2002

PATENT & TRADEMARK OFFICE

Group 3662

For: Device For Receiving Optical Signals By Means Of A Light-Guiding Object

Receipt is hereby acknowledged of Revocation and New Power of Attorney

Mailed March 22, 2002

Assistant Commissioner
for Patents